



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JAN 3 | 2005

Dear Colleagues,

As you know, on December 3, 2004 the President signed into law a bipartisan bill amending the Individuals with Disabilities Education Act (IDEA 2004). IDEA 2004 builds on the bipartisan education reforms in the No Child Left Behind Act, and includes important reforms that will help teachers, parents, and schools ensure that every student with a disability receives a quality education. The Office of Special Education and Rehabilitative Services (OSERS) looks forward to working with our partners to implement the amendments. The purpose of this letter is to provide information about a number of activities underway in OSERS designed to support the effective implementation of the new law.

**Regulations.** We are reviewing the new and old statute, regulations and policy letters to determine areas that might need regulation. We are also soliciting ideas from all interested parties by providing numerous opportunities for input into the development of the regulations. On December 29, 2004, the Department Of Education (Department) published a Notice of request for comments and recommendations on regulatory issues under the IDEA 2004. (Copy enclosed) The comment period is open until February 28, 2005. In addition, the Department is hosting a series of public meetings to seek comments and recommendations for developing regulations, as needed, based on the amendments. A list of sites, dates and locations of the meetings is enclosed. We also plan to host a series of public hearings following publication of the Notice of Proposed Rulemaking (NPRM) to seek comments on the NPRM.

**Monitoring/Performance Plans and Reports/State Applications/State Personnel Development Grants.** OSEP staff from the Monitoring and State Improvement Planning (MSIP) Division is currently reviewing the Continuous Improvement and Focused Monitoring System to identify any adjustments needed based on the requirements in section 616 of the 2004 amendments to the IDEA. This review includes examination of the current Annual Performance Report goals and indicators to determine which are appropriate to move into the Performance Plans and Reports required in section 616(b). The formats for the new Performance Plan and Reports will be available for public comment for 90 days, beginning in February. OSEP is interested in receiving comments from all constituency groups on this important compliance and performance mechanism. Information regarding input opportunities will be provided in the near future.

MSIP also is revising procedures for applying for grants under both Parts B and C of the IDEA. Application packages will be available to States in March, which will allow States time to examine new application procedures and requirements prior to submitting applications in May. In addition, OSEP is developing application materials for State Personnel Development Grants (formerly State Improvement Grants). We expect that application packages will be available in March.

MSIP staff will be working with States through Regional Implementation Meetings and Summer Institutes to support States as they apply for funds and complete performance planning activities, including stakeholder input. Regional Implementation Meetings are scheduled for April and representatives from Part B, Part C and the Parent Training and Information Centers will be encouraged to attend. The Regional Resource Centers will be organizing these meetings.

**Public Awareness, Outreach, and Training.** We are reaching out to all interested stakeholders that want to learn about IDEA 2004. Following publication of the final regulations we will conduct extensive training on the new requirements. In the meantime, we are utilizing Department staff to develop a PowerPoint on the major changes in the law that will be used for presentations and will be available on the OSEP website. OSEP will also work with the technical assistance network funded under Part D of IDEA to develop materials and products that include research based or promising practices where available for implementing provisions in the law. In order to ensure quality and accuracy of information, we have asked that the Department approve all materials about IDEA 2004 developed with Federal funds.

**National Activities to Improve Education of Children with Disabilities, Part D.** The Research to Practice Staff in OSEP is working to coordinate all the varied activities necessary to implement the changes to the discretionary programs, covering areas such as national assessments, technical assistance, data collection, parent training, standing review panels, service obligation, and personnel preparation.

**Transfer of Research to the Institute of Education Sciences.** IDEA 2004 establishes a National Center for Special Education Research in the Institute of Education Sciences (IES) in the Department. OSERS Assistant Secretary John Hager is working with Russ Whitehurst, Director of IES, to ensure that this task is accomplished in an orderly and timely manner.

Your work is critically important in expanding the educational opportunities for infants, toddlers, children and youth with disabilities embedded in IDEA 2004. We look forward to working together as a community to achieve the promise of high quality early intervention services for infants and toddlers, and education for all students with disabilities.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Smith Lee".

Stephanie Smith Lee  
Director  
Office of Special Education  
Programs